IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1340 OF 2005
IN
NOTICE OF MOTION NO. 962 OF 2003
IN
SUIT NO. 1437 OF 2002

1. Khan Bahadur Haji Amir Rais Trust and anr.] .. Plaintiffs

Versus

Mr. Adil Kothwal.] .. Defendant

None for the plaintiffs.

Anuj Bhasma i/b Wadia Ghandy & Co. for the defendant.

CORAM: ANOOP V. MOHTA, J.

DATED: 18TH MARCH, 2006

P.C. :

. None appeared for the applicants.

2. This Notice of Motion has been taken out for restoration of the Notice of Motion No. 962 of 2003 in Suit No.1437 of 1992 which was dismissed for default on 10th March, 2005. Considering the averments made and in view of the fact that there is no reply to this Notice of Motion, I am inclined to grant this Notice of Motion in terms of prayer clause (a) and (b). However, this

will be subjec to costs of Rs.1,000/- to be paid within two weeks from today, as a condition precedent.

3. Notice of Motion stands disposed of accordingly.

Sd/-
[ANOOP V. MOHTA, J.]